

Amendments from Elder Affairs: 22, 30, 150, 165, 210, 232, 271, 371, 404, 406, 407, 408, 485, 522, 532, 570, 604, 642, 735, 736, 737, 740, 764, 792, 867, 870, 932, and 990.

Mr. Murphy of Burlington and others move to amend H.4100 in section 2, by striking out item 4000-0640 and inserting in its place thereof the following item:-

4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2010 the division of health care finance and policy shall establish nursing facility Medicaid rates that cumulatively total \$288,500,000 more than the annual payment rates established by the division under the rates in effect as of June 30, 2002; provided further, that not more than \$9,000,000 of this amount shall be expended for purposes of reimbursing nursing facilities for up to 10 bed hold days for patients of the facility on medical and non-medical leaves of absence; and provided further, that an amount shall be expended sufficient to implement section 622 of chapter 151 of the acts of 1996.....\$288,500,000

And further amend the bill in section 2, by striking item 9110-1455 and inserting in place thereof the following item:-

9110-1455 For the costs of the drug insurance program authorized by section 39 of chapter 19A of the General Laws; provided, that amounts received by the executive office of elder affairs' vendor as premium revenue for this program may be retained and expended by the vendor for the purposes of the program; provided further, that not less than \$600,000 shall be made available for the operation of the pharmacy outreach program established by section 4C of chapter 19A of the General Laws; provided further, that notwithstanding any general or special law to the contrary, unless otherwise prohibited by state or federal law, prescription drug coverage or benefits payable by the executive office of elder affairs and the entities with which it has contracted for administration of the subsidized catastrophic drug insurance program pursuant to said section 39 of said chapter 19A, shall be the payer of last resort for this program for eligible persons with regard to any other third-party prescription coverage or benefits available to such eligible persons; provided further, that the executive office shall notify the house and senate committees on ways and means not less than 90 days in advance of any action to limit or cap the number of enrollees in the program; provided further, that this program is subject to appropriation and, in fiscal year 2010, expenditures shall not be more than the

amount authorized in this item; provided further, that no action shall be taken to expand the benefits of the program, extend benefits to additional populations or reduce cost sharing in the program without approval of the general court; provided further, that the department shall file all legislation required to implement such actions for review and analysis by the general court; provided further, that the executive office shall take steps for the coordination of benefits with the Medicare prescription drug benefit created pursuant to the federal Medicare Prescription Drug Improvement and Modernization Act of 2003, to ensure that Massachusetts residents take advantage of said benefit; provided further, that the department shall provide assistance for prescription drug costs to enrollees who qualify for Medicare Part D as well as assistance for premiums, deductibles, payments, and co-payments required by the Part D or Medicare Advantage plans, or by other plans which provide creditable prescription drug coverage as defined by section 104 of said Medicare Modernization Act, and which provide coverage of the cost of prescription drugs actuarially equal to or better than that provided by Medicare Part D; provided further, that a person shall also be eligible to enroll in the program at any time within a year after reaching age 65; and provided further, that the department shall allow those who meet the program eligibility criteria to enroll in the program at any time during the year.....\$45,000,000

And further amend the bill in section 2, in item 9110-1630 by striking out the figures “\$88,734,283” and inserting in place thereof the figures “\$103,734,283.”

And further amend the bill in section 2, by striking item 9110-1636 and inserting in place thereof the following item:-

9110-1636 For the elder protective services program, including protective services case management, guardianship services, the statewide elder abuse hotline, the Massachusetts Money Management program, and the elder-at-risk program.....\$16,252,499

And further amend the bill in section 2, by striking item 9110-1660 and inserting in place thereof the following item:-

9110-1660 For congregate and shared housing services for the elderly; provided, that no less than \$310,000 shall be expended for naturally occurring retirement community programs..... \$2,123,255

And further amend the bill in section 2, by striking item 9110-1900 and inserting in place thereof the following item:-

9110-1900	For the elder nutrition program; provided, that not less than \$50,000 shall be expended for the Senior Farm Share program.....	\$6,364,740
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And further amend the bill in section 2, by striking item 9110-9002 and inserting in place thereof the following item:-

9110-9002	For grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary; provided further, that funding shall be expended for provider training and outreach for LGBT elders and caregivers; and provided further, that such distribution schedules shall be submitted to the house and senate committees on ways and means.....	\$8,615,068
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